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BEFORE THE

SENATE FOREIGN RELATIONS COMMITTEE
UNITED STATES SENATE

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Mr. Chairman and Members of the Committee:

I am pleased to be here today to discuss with you U.S. ratification of the Inter-American Convention for the Protection and Conservation of Sea Turtles and the Convention to Combat Desertification.

Inter-American Convention for the Protection and Conservation of
Sea Turtles

All species of sea turtles found in the Western Hemisphere are threatened or endangered, some critically so. Because sea turtles migrate extensively, effective protection and conservation of these species require cooperation among States within their migratory range. Although the international community has banned trade in sea turtles and sea turtle products pursuant to the Convention on International Trade in Endangered Species of Wild Fauna and Flora ("CITES"), the Convention is the first multilateral treaty that actually sets standards to protect and conserve sea turtles and their habitats.

Congress called for the negotiation of multilateral agreements for the protection and conservation of sea turtles in Section 609 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1990 (Public Law 101-162). In close cooperation with Mexico, the United States led a three-year effort to negotiate the Convention with other Latin American and Caribbean nations. Substantive negotiations on the Convention concluded on September 5, 1996, at a meeting in Salvador da Bahia, Brazil.

The Convention will enhance the conservation of this hemisphere's sea turtles and harmonize standards for their protection. The Letter of Transmittal and related materials that

accompanied the transmittal of the Convention to the Senate review the salient provisions of the Convention. To summarize, the Convention requires Parties to:

- protect and conserve sea turtle populations and their habitats;
- reduce the incidental capture, injury and mortality of sea turtles associated with commercial fisheries;
- prohibit the intentional take of, and domestic and international trade in, sea turtles, their eggs, parts and products; and
- foster international cooperation in the research and management of sea turtles.

The Convention specifically obligates Parties to require the use of turtle excluder devices, or TEDs, in a manner that is comparable to the requirements in effect in the United States. A 1990 study by the National Academy of Sciences indicated that the incidental capture and mortality of sea turtles in shrimp trawl fisheries was one of the primary threats to sea turtles in this region of the world. Fortunately for sea turtles, the installation of TEDs in shrimp trawl nets allows virtually all sea turtles that are caught in those nets to escape unharmed -- without appreciable loss of shrimp catch. Many nations in the Western Hemisphere have followed the U.S. decision to require the use of TEDs in shrimp fisheries where there is a likelihood of catching sea turtles. Implementation of the Convention will thus reinforce TEDs programs in some nations and require the establishment of such programs in other nations. In this way, the Convention will both advance the protection of sea turtles and help to level the economic playing field for shrimp fisheries throughout the Western Hemisphere.

The United States signed the Convention, subject to ratification, on December 13, 1996, in Caracas, Venezuela. The Convention will enter into force following the deposit of the eighth instrument of ratification with the Government of Venezuela, which serves as the depositary for this treaty. At this time, four governments have deposited such instruments - Venezuela, Peru, Brazil and Costa Rica. A number of other governments, including Mexico, Honduras and Ecuador, have informed us that they expect to be in a position to ratify the Convention in the very near future. We thus anticipate that the Convention will enter into force quite soon.

The Administration believes that U.S. interests will best be served if the United States is among the first eight States that bring the Convention into force. By doing so, the United States ensures itself a seat at the table during the first meeting of

the Parties to be convened pursuant to Article V of the Convention. At that meeting, the Parties will consider a number of significant issues relating to the implementation of the Convention. Decisions reached at meetings of the Parties are to be adopted by consensus. Through our participation at the first meeting of the Parties, the United States can thus play a pivotal role in ensuring that activity under the Convention proceeds in a way that fully accords with U.S. interests and priorities.

Existing legislation, including the Endangered Species Act, 16 U.S.C. Section 1531 *et seq.*, and the Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C. Section 1081 *et seq.*, provide sufficient legislative authority to implement U.S. obligations under the Convention. Accordingly, no new legislation is necessary in order for the United States to ratify the Convention.

The Convention is in many ways a model agreement. It represents a cooperative effort on the part of Congress and the Executive Branch to build international support for the protection of endangered and threatened sea turtles. As noted above, the Convention will also help to ensure that the U.S. fishing industry and foreign fishing industries face comparable regulatory requirements with respect to their activities that may affect these species. Moreover, the Convention is already serving as a model for use in the negotiation of comparable conservation agreements in other regions of the world where sea turtles are at great risk. In that regard, I am pleased to inform the Committee that the first round of negotiations to establish a sea turtle conservation arrangement for the Indian Ocean and South East Asian region just concluded on July 14, 2000.

For many years, the United States has been a leader in the conservation of endangered and threatened sea turtles. The Convention is in many respects an outgrowth of that leadership. By ratifying the Convention, the United States can preserve its leadership role in the effort to conserve and protect sea turtles in a comprehensive manner. The Administration therefore urges this Committee to support U.S. ratification of the Convention as soon as possible.

Convention to Combat Desertification

Turning to the Convention to Combat Desertification, the term "desertification" refers to the loss of soil fertility in drylands. This is a pressing problem around the world. Every year, soil degradation threatens the sustenance and livelihood of millions of farmers, especially in Africa. In part, this is the result of natural weather patterns. In part, it is the result of

agricultural and other practices that deplete soils of vital nutrients and degrade land that can be used for farming and grazing.

In the fight against poverty and hunger, sound dryland management must be part of our arsenal.

The Convention to Combat Desertification is a unique and innovative tool at our disposal. The Convention makes developing nations responsible for designing and carrying out their own National Action Programs to combat desertification. It especially emphasizes the role of local communities and nongovernmental organizations in this effort. The Convention's community-based "bottom-up" approach reinforces democracy-building initiatives and the development of civil society in many countries.

In addition, the Convention promotes the coordinated and effective use of foreign assistance to help promote sound dryland management. It establishes a "Global Mechanism" to inventory relevant programs and improve the coordination of cooperative activities at the national level. The Convention also maintains a roster of experts available to work in this area. These steps are helping to cut through bureaucracy and eliminate waste in the delivery of foreign assistance.

The Convention can also provide direct benefits to countries - such as the United States - with considerable scientific and technical expertise in dryland management. Parties to the Convention may make nominations to a "roster of experts" which is widely used as a source of information. Private companies, research universities and technical institutions (such as the National Drought Mitigation Center in Lincoln, Nebraska) stand to benefit.

So far, I've told you what the Convention does. Let me also tell you what the Convention does not do.

First, the Convention does not establish a mandatory funding mechanism nor does it obligate Parties to provide specific resources in connection with its activities.

Second, the Convention would not require the United States to enact any implementing legislation, change any laws, or alter our land management practices in any way. For decades, the United States has been a leader in dryland management; the Convention is in many ways designed to help countries learn from the U.S. experience and others like it.

Finally, the Convention does not establish a dispute settlement body or process to which Parties are bound. The United States would not be bound to the jurisdiction of any dispute settlement body or process under the Convention.

Becoming a Party to the Convention would manifestly serve U.S. interests in several ways.

First, becoming a Party will help us fight hunger and poverty around the world. The Sahel drought of 1968-73 contributed to the deaths of 250,000 people and forced millions from their homes. By helping to prevent crises before they happen, the Convention can prevent desperate suffering and save hundreds of millions of dollars in costs for emergency relief. The United States has both a humanitarian and economic stake in such action.

Second, the Convention can help the United States promote our democratic values. The Convention's innovative focus on local decision-making and its emphasis on countries' taking responsibility for dryland management are contributing to democratic institution-building around the globe.

Third, the Convention is good for U.S. business. It would increase opportunities for U.S. business -- along with experts in research universities and public institutions -- to export technology and expertise through networks established by the agreement. By promoting sound agricultural practices and economic growth in many developing countries, it can also generate higher demand for U.S. exports of seeds, fertilizers, agro-chemicals and farm equipment.

Fourth, the Convention can contribute to stability and decrease political strains around the globe. Dryland degradation can exacerbate ethnic tensions and contribute to conflict. In some countries, soil erosion and degradation leads to massive internal migrations, forcing whole villages to flee the farms for the city. Every year, many thousands migrate over our borders from land-degraded countries such as Mexico.

Finally, ratifying the Convention can help the United States build stronger and more constructive relations with Africa. Many African nations have identified U.S. membership in the Convention as a priority.

For many years, the United States has been a leader in the global war to combat desertification. Senegal's ambassador to the United States, Mamadou Mansour Seck, whose country has suffered repeatedly from drought, made this recent plea:

"Much more progress could be made with the help of the U.S., which has successful community-based soil and water conservation programs and is recognized as one of the world's leaders on fighting desertification. The technical resources of American universities, research institutions, and businesses are urgently needed in the Convention-generated partnerships with communities around the world.

Unchecked, desertification will continue to foster food crises, poverty, conflict, migration, floods, and other environmental disasters. No nation is immune from the consequences.

Africa's 750 million people look to the U.S. for leadership on many issues, and desertification is one of the closest to our hearts. We look forward to welcoming the U.S. as a full partner to the Convention."

The Convention was concluded in 1994 and entered into force in 1996. More than 165 countries are Parties to the Convention.

Ratification is in our economic interest, in our security interest, and in the interest of the millions of lives that may be saved by preventing desertification and the famine and violence that too often follow. The administration respectfully urges this Committee to support U.S. ratification of the Convention as soon as possible.

Thank you for this opportunity to testify. I will be pleased to answer any questions.